



**CITY OF SUNNYVALE  
REPORT  
Planning Commission**

**October 13, 2003**

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**SUBJECT:** **2003-0655 – Iranian Christian Church [Applicant] The Bianchi Joint Venture [Owner]**: Application for a 73,132 square foot site located at **740 East Arques Avenue** in an M-S (Industrial & Service) Zoning District (APN: 205-32-002);

Motion                      Application for a Use Permit to allow a church use in an existing industrial office building.

**REPORT IN BRIEF**

**Existing Site**                      Industrial office building

**Conditions**

**Surrounding Land Uses**

North                      Residential High Density across Arques Avenue

South                      Manufacturing, Research and Development, Office

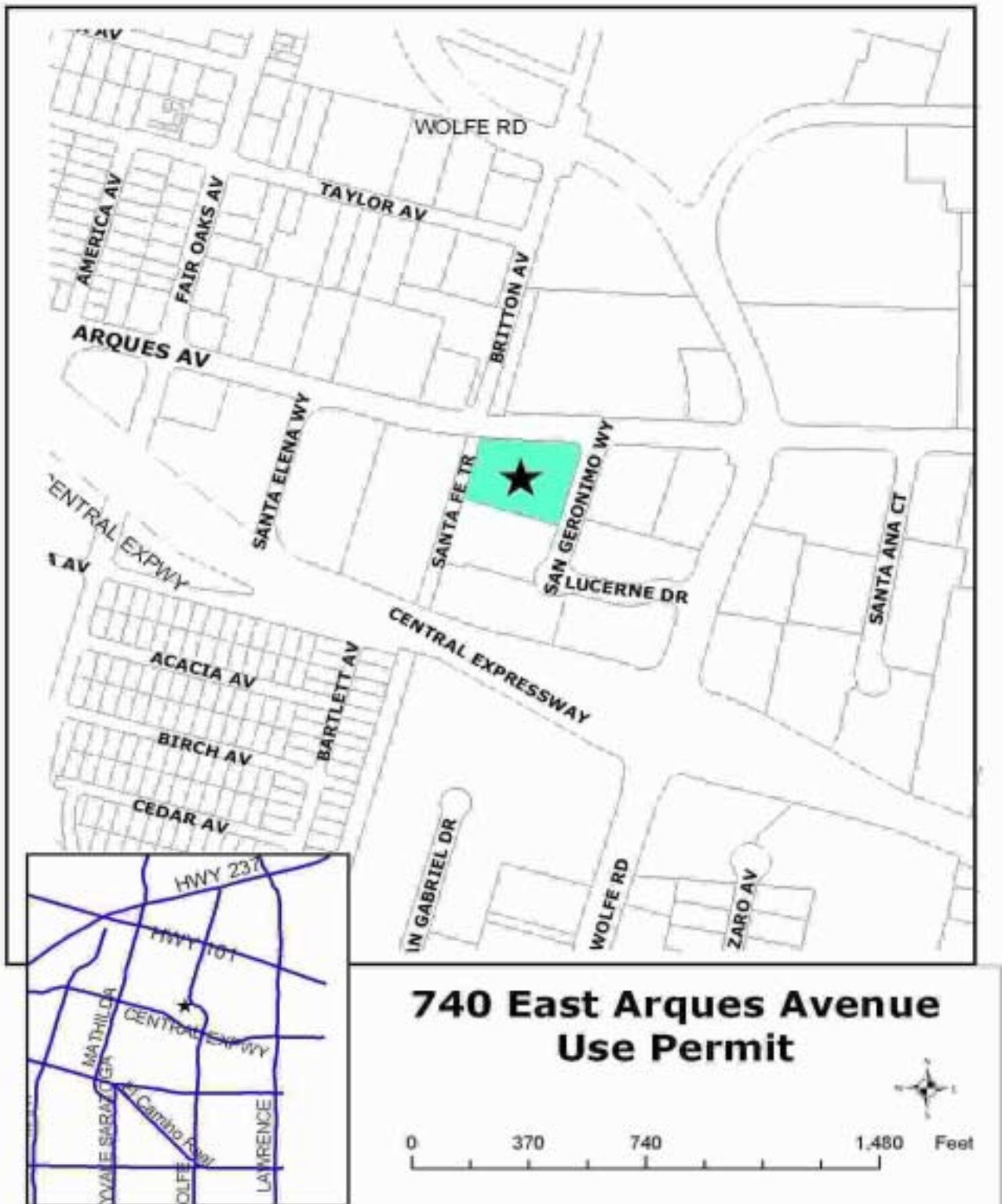
East                      Manufacturing, Research and Development, Office

West                      Manufacturing, Research and Development, Office

**Issues**                      Compatibility of use with surrounding zoning and parking.

**Environmental Status**                      Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation**                      Approval with conditions



PROJECT DATA TABLE

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
General Plan	Industrial	Same	Same
Zoning District	MS	Same	Same
Lot Size (s.f.)	73,132	Same	22,500 min.
Gross Floor Area (s.f.)	20,736	23,742	25,596 max.
Lot Coverage (%)	28%	28%	35% max.
Floor Area Ratio (FAR)	28%	32%	35% max.
No. of Buildings on Site	1	1	2 max.
No. of Stories	1	2	8 max.
Height of Building (ft.)	16'6"	27'6"	75' max.
<b>Setbacks (facing prop.)</b>			
• Front	35'	25' (canopies may extend into required setback no more than 10 feet)	35' min. required for properties that front a public street with an 86' or greater right of way
• Left Side	143'	123'	0' min. Total 20'
• Right Side	41'	Same	0' min. Total 20'
• Rear	37.5'	Same	0' min.
<b>Landscaping</b>			
• Landscaping (s.f.)	20,070	Same	14,627 (20% of lot size)
<b>Parking (Combined with 255 San Geronimo)</b>			
• Total No. of Spaces	184 (83 on site)	Same	169 min.
• No. of Standards	184 (83 on site)	Same	169 Min.
• No. of Compacts / % of total	0	Same	59 max. (35%)
• No. of Accessible	7	Same	6 min.

**ANALYSIS**

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**Background**

**Previous Actions on the Site:** The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1980-0009	Use Permit to allow a storage trailer on site.	Planning Commission/ Approved	November 12, 1980

**Description of Proposed Project**

The Iranian Christian Church is proposing to relocate to an existing 20,736 square foot industrial building. A 2,300 square foot second-story mezzanine space would also be constructed at the site. The site is currently vacant. Previously, the building was utilized as Research and Development type use. In addition to the church use which will primarily operate on the weekends, the site will also offer classes and youth programs. Office rooms will also be located within the building. More detail of these uses is described in the "Use" section of this report.

**Environmental Review**

A Negative Declaration was prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment 3, Initial Study).

### Use Permit

**Use:** The proposed Iranian Christian Church would have Saturday and Sunday church services and church office uses during the midweek. The proposed classroom use will occur approximately two hours per weeknight and two additional hours on Sunday mornings. Only 3 employees are expected during the week. Five employees will be present during the weekends. For expected attendance by use and hours, see below:

Days of Operation	Hours of Use	# of People at the Site	Use
Monday–Friday	8am–6pm	3 employees at the site	Office
Monday–Friday	6pm – 10pm	60 attendees, 5 employees	Prayer & Social Meetings
Saturday	9am – 6pm	150 attendees, 5 employees	Prayer & Social Meetings
Saturday	6pm – 10pm	60 attendees, 5 employees	Prayer & Social Meetings
Sunday	9am – 1pm	220 attendees, 5 employees	Worship Service, Sunday School
Sunday	1pm – 6pm	150 attendees, 5 employees	Social Meetings
Sunday	6pm – 10pm	60 attendees, 5 employees	Prayer & Social meetings

Staff notes that all congregational related activities will occur within off-peak hours during the week and on weekends. More discussion of how these projected hours relate to Sunnyvale parking standards is explained in the "Parking" section.

**Site Layout:** The Iranian Christian Church is proposed in an existing building, which is 20,736 square feet on a lot that is 73,132 square feet. The applicant proposed to increase the size of the building with 2,300 square feet of mezzanine space. The building shares a common parking lot with the adjacent property located 255 San Geronimo Way. Two additional canopies will be placed on the north and west sides of the building. The site will meet all required setbacks and lot coverage requirements for properties located in the M-S Zoning District.

**Floor Plan:** The building will require extensive tenant improvements to convert to the proposed use (See Floor Plan in Attachment #4). A Sanctuary with a seating capacity for 490 people will be located in the southwest corner of the building. Classroom and office areas comprise most of the remaining building. Two restrooms will be located at the center of the building. The second story mezzanine will consist of additional classrooms.

**Use Compatibility:** The existing building at 740 East Arques Avenue is located in an Industrial and Service Zoning district (MS). Churches have been permitted in most zones throughout the City. The majority of churches are located in residential zones. Church uses have been approved and exist in the M-S Zone. Sunnyvale Municipal Code Chapter 19.22, Uses permitted in the Industrial Zone Table 19.22.030(6)(E), shows that educational uses are allowed with a Use Permit in the MS zone. Staff reviews each application to determine the compatibility of the proposed use with the existing and potential surrounding uses. In

the past, the City has allowed other churches into the MS Zone, but only after an extensive review to determine compatibility.

Since the zoning designation is Industrial and Service, there is the possibility that future uses in the area could pose a more significant environmental hazard than do the currently existing uses. Future uses could include a variety of manufacturing and industrial type businesses. Staff expects these types of uses to become less prevalent as office/R&D uses continue to occupy more space in the MS Zone. The City does have existing controls to mitigate potential environmental issues typically associated with uses in the MS Zone, but the possibility remains that one use could have negative effects on another.

**Architecture:** The proposal involves the addition of a small second-story mezzanine and two additional canopy areas. (See "Site/Architectural Plans" in Attachment #4). The addition will be constructed of stucco siding to match the first story of the building. *The addition will match the existing architectural style of the building.*

Industrial Design Guidelines (Architecture)	Comments
<i>E6. The color and material of building additions shall be coordinated with those of the principal buildings.</i>	The proposed addition will utilize the same stucco material and color of the main structure
<i>D4. Roof style in new buildings or additions shall be compatible with the existing roof designs on the same site.</i>	The roof of the proposed second story will match the same shape and style as the first story.

**Landscaping:** The M-S Zoning District requires the site to maintain a landscaped area that equals 20% of the lot or 10% of the Floor Area of the building; whichever is greater. In this case, the site would need to maintain 14,627 square feet of landscape. The site currently maintains 20,070 square feet of landscaping. Therefore, the site exceeds minimum landscaping standards. No removal of existing landscaping or trees is proposed with this application. Due to a requirement to install sidewalks along Arques Avenue, a loss of landscaping will occur at the site. The existing trees will be protected on site.

**Sidewalk Requirement:** Per SMC Section 19.38.080, changes of use in industrial zoning districts require that sidewalks be provided along the public street frontage. Due to the proximity of residential uses across the street and the expected increase of pedestrian flow to the site, staff is recommending Condition of Approval #9 to fulfill this requirement along Arques Avenue. Staff does not believe the installation of a sidewalk along San Geronimo Way is warranted at this time. However, any proposed modification or expansion of the proposed use may require a sidewalk at this location.

**Parking/Circulation:** The applicant is proposing an alternating parking agreement for shared parking use at the site. A draft of this parking agreement has been submitted to staff by the applicant, which enables the site to utilize parking spaces located at 255 San Geronimo Way on Sundays. Prior to issuance of a building permit, the applicant shall submit a signed formal agreement between the adjacent property owners that enables shared parking on Sundays. (Condition of Approval #10).

There are currently 83 parking spaces on site. The adjacent property can provide an additional 101 parking spaces to the site. Therefore, a total of 184 spaces can serve the

uses of both buildings. The two sites combine for seven accessible parking spaces. The applicant has provided staff with information regarding expected attendance of the site during specific times and days of the week. The table below reflects total required parking for the weekday uses and the weekend uses:

Parking Demand - (Note: 255 San Geronimo Way in *Italics*):

Days of Operation	Hours	<b>Parking Ratio</b> 1 space per every 3 fixed seats, plus 1 space per 21 S.F. of open area for seating space, plus 1 pace per employee or <i>1 space/ 500 S.F. minimum</i> <i>(R&amp;D/Industrial/Office)</i>	# of Expected Attendance	Number of Parking Spaces Req.
Monday – Friday	8am – 6pm	Only employees at site	3 employees	3
Monday – Friday	6pm – 10pm	Meetings/Classes (No Sanctuary use)	60 attendees + 5 employees	25
<i>Monday – Friday</i> (255 San Geronimo)	<i>8am – 5pm</i>	<i>Business use</i> <i>21,000 sq ft.</i>	<i>??</i>	<i>42</i>
Saturday	9am – 6pm	Social Meetings	150 attendees + 5 employees	55
Saturday	6pm – 10pm	Prayer/Social meetings	60 attendees + 5 employees	25
<i>Saturday</i>	<i>8am – 5pm</i>	<i>Closed business hours</i> <i>21,000 sq. ft.</i>	<i>??</i> <i>(0 expected)</i>	<i>42</i>
Sunday	9am – 1pm	Worship/Sunday School	490 seats in Sanctuary + 5 employees (220 attendees expected)	172 (79)
Sunday	1pm – 6pm	Social meetings	150 persons + 5	55



			employees	
Sunday	6pm – 10pm	Prayer/Social Meetings	60 persons + 5 employees	25
<i>Sunday</i>	<i>8am – 5pm</i>	<i>Closed business hours</i> <i>21,000 sq. ft.</i>	<i>??</i> <i>(0 expected)</i>	<i>42</i>

The peak of parking demand takes place on Sunday morning, during use of the Sanctuary and Sunday school. The church will operate during off peak and weekend times when the other businesses are not in operation. Staff supports the proposed alternating parking agreement.

An overflow of parking could arise if the neighboring business was to operate on Sunday. More specifically, the conflict would be between the hours of 9am and 1pm. Therefore, staff is requiring the applicant to limit the number of attendees to 425 during this period of the day. (Condition of Approval #5). 425 attendees would require 142 parking spaces at the site. The neighboring business would require 42 additional spaces at that time. Therefore the capacity of 184 parking spaces would be reached.

Staff notes that the expected attendance listed in the chart above may vary and/or increase over time. Therefore, staff is including Condition of Approval #4, which limits hours of operation for the site.

The City's Traffic Department determined that a traffic study was not necessary since there will be no increase in traffic volumes during AM or PM peak traffic hours.

#### **Compliance with Development Standards**

The proposed project complies with current development standards with the exception of required parking, as discussed. No further improvements are required at this time.

#### **Expected Impact on the Surroundings**

As discussed above, the site meets all development requirements and staff believes the impact to neighboring uses should be minimal. The Traffic Division of Public Works has reviewed the project and has determined the impacts to the area should be minimal. The parking agreement allows the site to meet the necessary parking for the use. The site is located across the street from multi-family residential apartments and in proximity to other areas zoned for transition to residential use. Other surrounding uses are comprised mostly of research and development/office businesses that are consistent with the Industrial-Service Zone.



## Findings

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In order to approve a Use Permit, either of the following findings must be made:

- (a) Attain the objectives and purposes of the general plan of the city of Sunnyvale; or
  - (b) Ensure that the proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the zoning district. Any such permit likewise may be denied upon a finding that said permit, as requested, will not meet the foregoing standards for approval.
- Staff was able to make the required Findings, as located in Attachment 1.

## Fiscal Impact

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No fiscal impacts other than normal fees and taxes are expected.

**Public Contact**

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Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• Mailed to the property owners and tenants within 300 ft. of the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

**Alternatives**

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1. Approve the Use Permit with attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

**Recommendation**

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Alternative 1.

Prepared by:

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Ryan M. Kuchenig  
Project Planner

Reviewed by:

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Gerri Caruso  
Principal Planner

Reviewed by:

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Trudi Ryan  
Planning Officer

Attachments:

1. Findings
2. Conditions of Approval
3. Negative Declaration/Initial Study
4. Site/Floor/Architectural Plans
5. Photos of Subject Site

**Findings - Use Permit**

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1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project combines a variety of uses with different hours of operation on one site. The use will provide needed office space for the church in a way that is complementary to existing structures and uses.

**Land Use and Transportation Element**

***Policy N1.14 Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.***

The Iranian Christian Church is proposed to be located in a zone where there may be issues of compatibility. Staff finds that proposed Use Permit is compatible with the existing businesses and residences in the area. The property is located near residential uses and sites located in the M-S/ITR (Industrial to Residential) Zoning District. Staff considers existing controls to be sufficient to address compatibility issues.

***Policy N1.2 Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.***

The project is compatible with the existing uses in the surrounding area. The new construction of a second story will be compatible with the existing building and will not negatively impact adjacent properties. The use will not cause a significant increase to noise and traffic in the immediate area as the use would occur during off peak hours. Residential uses are located in close proximity to the proposed use.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the business will operate during peak an off peak hours in an existing industrial and service building. The parking impacts will be minimal due to the amount of available parking on site and spaces available through the shared parking agreement. The uses at the site will also have differing hours of peak parking demand.

**Conditions of Approval**

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In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Obtain Building Permits prior to construction for any tenant improvements at the site.
2. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
3. The Use Permit shall expire if the use is discontinued for a period of one year or more.
4. Hours of operation shall be limited to the following hours:  
Monday - Friday: 8am to 6pm (office use)  
Monday - Friday: 6pm to 10pm (social/prayer meetings)  
Saturday: 9am to 6pm (social meetings)  
Saturday: 6pm – 10pm (social/prayer meetings)  
Sunday: 9am – 1pm (worship service/Sunday school)  
Sunday: 1pm – 6pm (social meetings)  
Sunday: 6pm –10pm (social/prayer meetings)
5. The maximum number of parishioners using the religious institution on Sunday shall not exceed 425.
6. Minor changes to the Use Permit may be approved by the Director of Community Development. Major changes to the Use Permit require the approval of the Planning Commission.
7. There are a total of 184 spaces available for the use. A deed restriction shall be filed which limits the use of the parking spaces to the hours and days described in the above report.
8. Obtain a business license from the City of Sunnyvale Revenue Division prior to commencement of use.
9. Submit plans for sidewalk paving and tree protection along Arques Avenue for review and approval by the Director Community Development. Any proposed modification or expansion of the proposed use may require installation of a sidewalk along San Geronimo Way and is subject to the review and Approval of the Planning Commission.
10. Prior to issuance of a building permit, the applicant shall submit a signed formal agreement between the adjacent property owners that enables shared parking on Sundays.